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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,513	01/06/2006	Andrea Ferrari	M1885.0054/P054	8645
24998	7590	09/18/2007		
DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403			EXAMINER VO, HIEN XUAN	
			ART UNIT 2863	PAPER NUMBER
			MAIL DATE 09/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/563,513

Applicant(s)

FERRARI ET AL.

Examiner

Hien X. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01/06/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 01/06/06. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "the," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it contains the form and legal phraseology often used in patent claims, "means of a single radio frequency" (line 2). Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-19 rejected under 35 U.S.C. 102(b) as being anticipated by Cresson (U.S. Patent No. 6,301,796).

With respect to claims 1, 15, Cresson discloses a programmable probe system including a checking probe with detecting devices (see e.g. Fig. 1), power supply devices (see e.g. col. 1, lines 16-20), a logic unit (see e.g. col. 3, lines 46-60), memory devices adapted for storing a value of at least one operation parameter of the checking probe (see e.g. col. 3, lines 4-5) and a remote transceiver unit for wireless transmission and reception of signals (see e.g. col. 3, lines 23-27), a base transceiver unit for the wireless transmission and reception of signals to and from the remote transceiver unit (see e.g. Fig. 2 and col. 2, lines 32-38), a display device adapted for displaying, on the basis of signals received from the remote transceiver unit, information regarding the at least one parameter and an associated value (see e.g. col. 3, lines 33-45), and a manually-operated control device, connected to the base transceiver unit and adapted for generating, upon an operator's manual control, control signals and for transmitting the control signals by means of the base transceiver unit, the logic unit of the checking probe being adapted for selecting the value of the at least one operation parameter in

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response to controls received by means of the remote transceiver unit and to provide signals indicative of the at least one parameter and of the associated value, wherein the logic unit is adapted to provide, in response to the received controls, signals indicative of a current selectable value out of two or more selectable values, the display device displaying the current selectable value of the at least one parameter, the control signals generated and transmitted by the manually operated control device being adapted to control the logic unit of the checking probe to update the value of the at least one operation parameter and, on the basis of information in the display device, confirm the value (see e.g. col. 4, lines 15-67).

With respect to claims 2-14, Cresson discloses the invention as claimed including the display device is connected to the base transceiver unit, the indicative signals being wirelessly transmitted from the remote unit to the base transceiver unit (see e.g. fig.2), the manual-operated control device includes the display device (see e.g. col. 4, lines 24-28), an interface unit connected to the base transceiver unit, that includes the manually-operated control device (see e.g. col. 4, lines 15-23), the remote transceiver unit and the base transceiver unit define a single wireless two-way communication link detection signals generated in the checking probe by the detecting devices (see e.g. col. 3, lines 22-23), the base transceiver unit is adapted for transmitting by means of the single wireless two-way communication link signals for activating the checking probe on the basis of signals generated in the interface unit (see e.g. col. 2, lines 32-38), the remote unit and the base transceiver unit communicate using radio-frequency (see e.g. abstract, lines 11-16), each of the base transceiver unit and the remote transceiver unit

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includes an antenna (see e.g. Fig. 2), the at least one operation parameter of the checking probe is the transmission frequency of the remote transceiver unit, the memory devices include a temporary register and a non-volatile memory (see e.g. col. 3, lines 9-12), the manually-operated control device includes at least one key and is adapted for generating the control signals in response to manual activation of the at least one key by the operator (see e.g. col. 4, lines 18-36), the manually-operated control device includes two keys and is adapted for generating the control signals in response to manual activation of the two keys by the operator (see e.g. Fig. 2, items 30,32), for the checking of mechanical pieces in a machine tool wherein the checking probe is a contact detecting probe and the detecting devices include a microswitch (see e.g. col. 3, lines 13-21).

Claims 16-19 are method claims corresponding to apparatus claims 1-14.

Therefore, claims 16-19 are rejected for the same rationales set forth for claims 1-14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hien X. Vo whose telephone number is (571) 272-2282. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hien Vo
09/12/07



John Barlow
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